

## II. Remarks

Claims 1 and 3-9 were pending in this application and have been rejected. The present amendment amends claim 1 to more particularly point out and clarify Applicants' invention. No new matter has been added by the present amendment. After this amendment, claims 1 and 3-9 will be pending.

Applicants thank the Examiner for the case interview on November 12, 2009. Those present were George Spisich and Daniel Dailey. The amendments made herein are in response to the Office Action and the Examiner's suggestions which were discussed in the case interview.

Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

### Rejections under 35 U.S.C. § 112

Claims 1 and 3-9 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention. In view of the amendments and remarks contained herein, Applicants respectfully submit that the rejections of claims 1 and 3-9 are traversed.

Claim 1 has been amended to recite that the tether has opposed ends including a forward end, which is connected to the leading edges of the two layers, and a rearward end, which is connected to the trailing edges of the two layers. The laminar form along the forward end of the tether is positioned between and substantially parallel to the leading edges of the two layers. The laminar form along the rearward end of the

tether is positioned between and substantially parallel to the trailing edges of the two layers. Support for these amendments may be found in Applicants' application at paragraphs [0024] and [0027], and Figures 1-4. This amendment was in response to the objection that it was unclear how a laminar form would be considered to extend parallel to the leading and trailing edges and further, in response to the Examiner's proposed understanding presented in the Office Action and discusses in the case interview. Office Action at pages 2-3. Accordingly, Applicants believe that the amendments to claim 1 have cured the respective objections and that the 35 U.S.C. § 112, second paragraph, rejections of claims 1 and 3-9 should be withdrawn.

*Allowable Subject Matter*

The Examiner has indicated that claims 1 and 3-9 would be allowable if amended to overcome the rejections under 35 U.S.C. § 112, second paragraph. As discussed and agreed upon in the case interview, the amendments to claim 1 overcome the 35 U.S.C. § 112, second paragraph, rejections of claims 1 and 3-9. Accordingly, claims 1 and 3-9 are believed to be allowable.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested.

Respectfully submitted,

Dated: November 13, 2009

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